

### REMARKS

The Applicants respectfully request reconsideration and allowance of claims 1 through 23, and consideration and allowance of new claim 25 in view of the above amendments and the following arguments.

## STATUS OF THE CLAIMS

Claims 1 through 23, and 25 are pending in this application. Claims 24 is canceled above without prejudice. Independent claims 1, 6, 14, and 16 are each amended above to include a limitation relating to an additional video display that is mounted below the player control surface on a gaming machine. This limitation is clearly shown in the application as originally filed at reference numeral 18 in Figure 1 and is described at the top of page 9 of the disclosure and elsewhere in the disclosure. Independent claim 21 is amended above to refer to a player control video display and to add the limitation regarding mechanical player controls located on the player control ledge which includes a player control video display. Support for this amendment may be found in Figure 1 and in the discussion from page 9, line 10 through page 10 of the disclosure as originally filed.

### OBJECTIONS TO CLAIMS 1, 6, 14, 16, and 21

Claims 1, 6, 14, 16, and 21 were objected to because of the use of the transitional term “including” rather than the word “comprising.” Applicants respectfully traverse these objections. The transitional term “including” has long been recognized as an appropriate inclusive, open-ended transitional term and is considered synonymous with the transitional term “comprising.”

1     See M.P.E.P. §2111.03. In this light, the Applicants respectfully decline to change the  
2     transitional term used in the present claims and respectfully request that the Examiner withdraw  
3     the objection as to the term “including.”  
4

5     CLAIMS 1-5, 14-18, AND 20-23 ARE NOT ANTICIPATED BY ALCORN

6             The Examiner rejected claims 1 through 5, 14 through 18, and 20 through 24 under 35  
7     U.S.C. § 102(e) as being anticipated by U.S. patent No. 6,620,047 to Alcorn et al., (the “Alcorn  
8     patent” or “Alcorn”). The Applicants respectfully submit that the claims are not anticipated by  
9     Alcorn.

10            Applicants’ independent claim 1 specifically requires “a second additional video display  
11     mounted on the front side of the cabinet below the player control device.” The Alcorn patent  
12     does not teach or suggest such a video display. In contrast, Alcorn teaches a single video display  
13     screen that is electronically subdivided into multiple regions (Alcorn at col. 3, ln. 55-57). The  
14     entire video display in Alcorn is located above the shelf 38 containing buttons 40.

15            Because the Alcorn patent does not teach the second additional video display required by  
16     Applicants’ claim 1, claim 1 is not anticipated by the Alcorn patent and is allowable over the  
17     Alcorn patent together with its dependent claims, claims 2 through 5.

18            Applicants’ independent claim 14 is directed to a method for presenting a game  
19     presentation at a gaming machine and, among other things, requires simultaneously with  
20     displaying a first game presentation component, “displaying a third game presentation  
21     component on a third video display mounted below a player control device on the front side of  
22     the gaming machine.” As discussed above with regard to claim 1, Alcorn fails to teach or

1 suggest any video display device positioned below the player control devices on the front side of  
2 the gaming machine. Thus, Alcorn cannot teach or suggest making any part of a game  
3 presentation at a video display mounted below a player control device on the front side of the  
4 gaming machine.

5 Because the Alcorn patent does not teach each and every element set out in claim 14, the  
6 claim cannot be anticipated by the Alcorn patent. The Applicants respectfully submit that claim  
7 14 is allowable over the Alcorn patent together with its sole dependent claim, claim 15.

8 The Applicants' claim 16 is directed to a method for controlling a gaming machine and  
9 requires "displaying a first game presentation through a number of video displays mounted on a  
10 front side of the gaming machine, **at least one of the number of video displays being mounted**  
11 **below a player control device**, and each respective video display showing a respective portion  
12 of the first game presentation." Alcorn fails to disclose or suggest displaying any game  
13 presentations through a number of video displays with one video display mounted below a player  
14 control device.

15 Because the Alcorn patent does not teach each and every element set out in claim 16, the  
16 claim cannot be anticipated by the Alcorn patent. The Applicants respectfully submit that claim  
17 16 is allowable over the Alcorn patent together with its dependent claims, claims 17 through 20.

18 Claim 21 is directed to a gaming machine and requires:

- 19 (a) a cabinet;  
20 (b) a game video display mounted on a front side of the cabinet;  
21 (c) a player control video display forming at least a portion of a forwardly projecting  
22 ledge located below the game video display, the forwardly projecting ledge  
23 extending transversely to a plane of the game video display; and  
24 (d) one or more mechanical player control devices mounted on the forwardly  
25 projecting ledge adjacent to the player control video display. (Emphasis added)

1 Alcorn does not teach or suggest the combination of a player control video display as  
2 required by element (c) of claim 21, and with one or more mechanical player control devices all  
3 mounted together with the player control video display on a forwardly projecting ledge as  
4 required by element (d) of claim 21.

5 Because the Alcorn patent does not teach each and every element set out in claim 21, the  
6 claim cannot be anticipated by the Alcorn patent. The Applicants respectfully submit that claim  
7 21 is allowable over the Alcorn patent together with its dependent claims, claims 22, 23, and 25.

8  
9 CLAIMS 6-13 AND 19 ARE NOT OBVIOUS OVER ALCORN IN VIEW OF WAIN

10 The Examiner rejected claims 6 through 13 and 19 under 35 U.S.C. § 103(a) as being  
11 unpatentable over Alcorn in view of U.S. patent No. 4,335,809 to Wain (the "Wain patent" or  
12 "Wain"). The Applicants submit that the claims as amended are not obvious in view of the  
13 proposed combination of the Alcorn and Wain patents on the ground that the proposed  
14 combination does not teach or suggest each and every element set out in the Applicants'  
15 amended claims.

16 As discussed above, independent claims 6 and 16 are both amended to require a  
17 limitation as to a video display located below the player control surface of the gaming machine.  
18 As also discussed above, the Alcorn patent does not teach or suggest any video display located  
19 below a player control surface of a gaming machine. The Wain patent does not in any way make  
20 up for this deficiency in the Alcorn patent. Specifically, the Wain patent discloses a video  
21 display 4 mounted on a gaming machine above a series of control switches 6 as shown in Figure

1 of the Wain patent. However, the Wain patent does not teach or suggest any video display mounted below the control switches 6.

Because, neither the Alcorn nor Wain patent teaches or suggests the video display mounted below a player control surface on a gaming machine as required by claims 6 and 16, the Applicants submit that the proposed combination also cannot teach or suggest this feature. Thus, the Applicants submit that independent claims 6 and 16 are not obvious over the proposed combination of the Alcorn and Wain patents, and are in condition for allowance together with their respective dependent claims, including claims 7 through 13 and 19.

CLAIMS 1-24 ARE NOT OBVIOUS OVER JAFFE IN VIEW OF WAIN

The Examiner rejected claims 1 through 24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 6,254,481 to Jaffe (the "Jaffe patent" or "Jaffe") in view of the Wain patent. The Applicants submit that the claims as amended are not obvious in view of the proposed combination of the Jaffe and Wain patents on the ground that the proposed combination does not teach or suggest each element required in the respective claims.

Jaffe does not show a video display mounted on the front side of a cabinet below a player control device as recited in Applicants' amended claims 1, 6, 14, and 16. The only video displays disclosed in the Jaffe patent, displays 14 and 16, are located above a player control ledge shown in Figure 1 of Jaffe, but not labeled. The Wain patent does not make up for this deficiency in Jaffe. As discussed above, the Wain patent does not teach or suggest a video display mounted below the control buttons 6 shown in Wain's Figure 1.

1           Because, neither Jaffe nor Wain teaches or suggests the video display mounted below a  
2   player control surface on a gaming machine as required by independent claims 1, 6, 14, and 16,  
3   the Applicants submit that the proposed combination also cannot teach or suggest this feature.  
4   Thus, the Applicants submit that independent claims 1, 6, 14, and 16 are not obvious over the  
5   proposed combination of the Jaffe and Wain patents, and are in condition for allowance together  
6   with their respective dependent claims, claims 2 through 5, 7 through 13, 15 , and 17 through 20.

7           As discussed above, claim 21 has been amended to require one or more mechanical  
8   player control devices mounted on the forwardly projecting ledge on which the player control  
9   display is mounted. Neither the Jaffe nor the Wain patent teaches or suggests this combination of  
10   player control display and mechanical player control devices.

11          Because, neither Jaffe nor Wain teaches or suggests the combination player control  
12   display and mechanical control devices required by independent claim 21, the Applicants submit  
13   that the proposed combination also cannot teach or suggest this combination of features. Thus,  
14   the Applicants submit that independent claim 21 is not obvious over the proposed combination of  
15   the Jaffe and Wain patents, and is in condition for allowance together with its dependent claims,  
16   claims 22, 23, and 25.

## 1 CONCLUSION

2 For all of the above reasons the Applicants respectfully request reconsideration and  
3 allowance of claims 1 through 23, and consideration and allowance of new claim 25.

4 If the Examiner should feel that any issue remains as to the allowability of these claims,  
5 or that a conference might expedite allowance of the claims, he is asked to telephone the  
6 undersigned attorney.

7 Respectfully submitted,

8 THE CULBERTSON GROUP, P.C.

9  
10 Date: March 30, 2005

By: 

Russell D. Culbertson, Reg. No. 32,124

Russell C. Scott, Reg. No. 43,103

Trevor Lind, Reg. No. 54,785

1114 Lost Creek Blvd., Ste. 420

Austin, Texas 78746

512-327-8932

ATTORNEYS FOR APPLICANTS

## 20 CERTIFICATE OF FACSIMILE

21  
22 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark  
23 Office, (Fax No. 703-872-9306) on March 30, 2005.

24  
25  
26 Russell D. Culbertson, Reg. No. 32,124 

1039\_Response\_OA\_041230.wpd